

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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EMPLOYEE PAINTERS' TRUST,

Plaintiff,

v.

BRANDON S. CLIFTON, an individual; and  
KIMBERLY A. COMINSKY, an individual;

Defendants.

Case No. 2:19-cv-00912-GMN-EJY

**ORDER**

On November 2, 2021, the Court entered an Order granting Plaintiff Employee Painters' Trust's Motion for Order to Show Cause. ECF No. 60. In that Order, Defendant Brandon Clifton was required to respond to the Order, in writing, no later than November 30, 2021 with reasons why the Court should not find him in contempt. The Order also required Defendant Clifton to explain why an award of reasonable attorney's fees and costs should not be granted to Plaintiff. The Court's Order advised that a failure to comply with the contents of the Order would result in a finding of contempt and an award of fees and costs associated with bringing the Motion for Order to Show Cause. As of the date of this Order, Defendant Clifton has not responded to the Court's November 2, 2021 Order.

Accordingly, IT IS HEREBY ORDERED that Defendant Brandon Clifton is found in contempt of Court.

IT IS FURTHER ORDERED that Plaintiff Employee Painters' Trust is awarded its reasonable fees and costs for bringing the Motion for Order to Show Cause.

IT IS FURTHER ORDERED that Plaintiff Employee Painters' Trust must file a memorandum in support of its requested fees and costs within 14 days of the date of this Order. The memorandum must be supported by affidavit of counsel establishing the amount of attorneys' fees and costs incurred as addressed in this Order. The memorandum must provide a reasonable itemization and description of work performed, identify the attorney(s) or staff member(s) performing the work, the customary fee of the attorney(s) or staff member(s) for such work, and the

1 experience, reputation and ability of the attorney performing the work. The attorney's affidavit shall  
2 authenticate the information contained in the memorandum, provide a statement that the bill has  
3 been reviewed and edited, and a statement that the fees and costs charged are reasonable.

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5 Dated this 13th day of October, 2022.

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7 ELAYNA J. YOUCHAK  
8 UNITED STATES MAGISTRATE JUDGE  
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